

# UTILITY PATENT APPLICATION TRANSMITTAL

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(Only for new nonprovisional applications under 37 CFR 1.53(b))

03917 U.S. PTO  
10/669841  
092303

## ADDRESS TO:

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Attorney Docket No. MBHB02-249-E (400/042US)  
First Named Inventor Lawrence Blatt  
Express Mail No. EV333564250US

## APPLICATION ELEMENTS

1. ☒ Transmittal Form with Fee
2. ☒ Specification (including claims and abstract) [Total Pages 330]  
[Total Sheets 47]
3. ☒ Drawings
4. ☐ Oath or Declaration [Total Pages]
  - a. ☐ Newly executed
  - b. ☐ Copy from prior application

**[Note Boxes 5 and 18 below]**

  - i. ☐ Deletion of Inventor(s) Signed statement attached deleting inventor(s) named in the prior application
5. ☐ Incorporation by Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Computer Code Listing (See 1.96)
  - a. ☐ Microfiche Appendix
  - b. ☐ CD-Rom (in duplicate, with separate transmittal)
7. ☒ Nucleotide and/or Amino Acid Sequence Submission
  - a. ☒ Computer Readable Copy
  - b. ☒ Paper Copy
  - c. ☒ Statement verifying above copies
8. ☒ Small Entity Status
  - ☒ is claimed
  - ☐ Statement filed in prior application; status still proper and desired
  - ☐ is no longer claimed.

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers
10. ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)
  - ☐ PTO-1449 Form
  - ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
16. ☐ A Request for non-publication pursuant to 35 U.S.C. § 122(b)(2)(B)(i)
17. ☒ Other: Patent Application Data Sheet

18. ☒ This is a CONTINUING APPLICATION. Please note the following:

a. ☒ This is a ☒ Continuation ☐ Divisional ☐ Continuation-in-part of International Application No. PCT/US02/09187, with international filing date of March 26, 2002, published in English under PCT Article 21(2), which claims the benefit of Macejak et al., USSN (60/296,876), filed June 8, 2001, Macejak et al., USSN (60/335,059), filed October 24, 2001, Morrissey et al., USSN (60/337,055), filed December 5, 2001, Beigelman et al., USSN (60/358,580), filed February 20, 2002, Beigelman et al., USSN (60/363,124), filed March 11, 2002, and which is a continuation-in-part of Blatt et al., USSN (09/817,879), filed March 26, 2001, which is a continuation-in-part of Blatt et al., USSN (09/740,332), filed December 18, 2000, which is a continuation-in-part of Blatt et al., USSN (09/611,931), filed July 7, 2000, which is a continuation-in-part of Blatt et al., USSN (09/504,321), filed February 15, 2000, which is a continuation-in-part of Blatt et al., USSN (09/274,553), filed March 23, 1999, which is a continuation-in-part of Blatt et al., USSN (09/257,608), filed February 24, 1999 (abandoned), which claims the benefit of Blatt et al., USSN (60/100,842), filed September 18, 1998, and McSwiggen et al., USSN (60/083,217) filed April 27, 1998. This patent application is also a continuation-in-part of Draper et al., USSN (09/877,478) filed June 8, 2001, which is a continuation-in-part of Draper et al., USSN (09/696,347), filed October 24, 2000, which is a continuation-in-part of Draper et al., USSN (09/636,385), filed August 9, 2000, which is a continuation in part of Draper et al., USSN (09/531,025), filed March 20, 2000, which is a continuation in part of Draper et al., USSN (09/436,430), filed November 8, 1999, which is a continuation of Draper et al., USSN (08/193,627), filed February 7, 1994, now US patent No. 6,017,756, which is a continuation of Draper et al., USSN (07/882,712), filed May 14, 1992, now abandoned.

- b. ☐ Cancel in this application original claims of the prior application before calculating the filing fee. (At least one claim must remain.)
- c. ☐ Amend the specification by inserting before the first line the sentence:

[Page 1 of 2]

Express Mail No. EV333564250US  
Mailed on September 23, 2003

This is a ☐ continuation ☐ divisional ☐ continuation-in-part of application Serial No.  
d. ☐ The prior application is assigned of record to

**UTILITY PATENT APPLICATION TRANSMITTAL**

Attorney Docket No. MBHB02-249-E  
(400/042US)

**APPLICATION FEES****BASIC FEE**

\$ 750.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	24 -20 =	4	x \$18.00	\$ 72.00
Independent Claims	1- 3 =		x \$84.00	\$ 0.00
<input type="checkbox"/> Multiple Dependent Claims(s) if applicable			+\$280.00	\$ 0.00
Total of above calculations =				\$ 822.00
Reduction by 50% for filing by small entity =				\$(411.00)
<input type="checkbox"/> Assignment fee if applicable			+\$40.00	\$
TOTAL =				\$ 411.00

19. ☒ Please charge my Deposit Account No. 13-2490 in the amount of \$411.00

20. ☐ A check in the amount of \$ is enclosed.

21. The Commissioner is hereby authorized to credit overpayments or charge any additional fees of the following types to Deposit Account No. 13-2490:

- a. ☒ Fees required under 37 CFR 1.16.
- b. ☒ Fees required under 37 CFR 1.17.
- c. ☒ Fees required under 37 CFR 1.18.

22. The Commissioner is hereby generally authorized under 37 CFR 1.136(a)(3) to treat any future reply in this or any related application filed pursuant to 37 CFR 1.53 requiring an extension of time as incorporating a request therefor, and the Commissioner is hereby specifically authorized to charge Deposit Account No. 13-2490 for any fee that may be due in connection with such a request for an extension of time.

**23. CERTIFICATE OF MAILING**

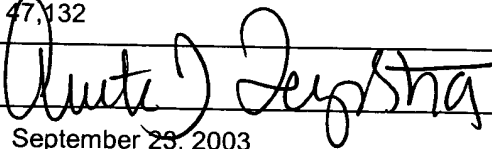
I hereby certify that, under 37 CFR § 1.10, I directed that the correspondence identified above be deposited with the United States Postal Service as "Express Mail Post Office to Addressee," addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date indicated below.

**24. USPTO CUSTOMER NUMBER**

20306

McDonnell Boehnen Hulbert & Berghoff

**25. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name	Anita J. Terpstra, Ph.D.
Reg. No.	47,132
Signature	
Date	September 23, 2003

UTIL (Rev. 11/21/00)

**UNITED STATES PATENT AND TRADEMARK OFFICE**  
(Case No. MBHB02-249-E (400/042US))

Blatt et al.

) Examiner: TBA

) Group Art Unit: TBA

) Confirmation No.: TBA

Sir:

- ☒ Is formatted for IBM-PC Machines
- ☒ Is compatible with MS-Windows Operating System
- ☒ Contains the file **"02-249-E (400/042US) Sequence Listing"** which is 4,816,896 bytes in size and was created on 09/05/03.

Respectfully submitted,  
**McDonnell Boehnen Hulbert & Berghoff**

By:

Anita J. Terpstra  
Reg. No. 47,132

McDonnell Boehnen Hulbert & Berghoff  
300 South Wacker Drive, 32nd Floor  
Chicago, Illinois 60606  
Phone: 312-913-0001  
Fax: 312-913-0002